

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

United States of America,)	
)	Case No. 3:09CR444
Plaintiff,)	
)	
vs.)	Judge Jack Zouhary
)	
Shawn M. Lennard,)	<u>MOTION FOR EXAMINATION AND</u>
)	<u>TREATMENT; 18 USC 4241</u>
Defendant.)	
)	
)	
)	

Defendant, through his undersigned counsel, respectfully moves the Court, pursuant to 18 USC §4241 for an order directing that the Defendant undergo a mental status examination and any treatment which may be found to be appropriate.

In support of this motion counsel says that Defendant has been housed since his arrest in this case at the Lucas County Jail. In that time, the Defendant has made at least three serious suicide attempts, the most recent of which resulted in his being hospitalized in a comatose condition and required that he be placed on a ventilator for several days.

Since he was returned to the Lucas County Jail following his most recent attempt, Defendant has been on an intensive suicide watch, restricted to a mattress on the concrete floor of a jail cell, with his arms and legs shackled at all times, and with no

fabric available to him other than a "suicide blanket" which he can use to cover himself. Defendant is further under constant surveillance by corrections officers assigned to remain immediately outside his cell. Jail staff have informed undersigned counsel that the Defendant will continue to be maintained under those conditions for as long as he remains at the Lucas County Jail.

Counsel has met with the Defendant three times since his return to jail following his latest suicide attempt (on 2/15, 2/17 and 2/19) and can report that the Defendant continues to be extremely depressed and despondent and talks repeatedly about his continuing intent to take his own life. Counsel is not qualified to assess whether the Defendant may have suffered any brain damage as a result of the most recent suicide attempt. However, counsel can represent to the Court his opinion that, in the Defendant's current mental and physical condition, he is unable to assist properly in the defense of his criminal case.

Should the Court desire additional information about the Defendant's mental and physical circumstances at the Lucas County Jail the Inmate Services Director, Debra DeCola, and the Medical Director, Valarie Sylvester, have indicated their willingness to provide any and all information they have for the Court's consideration.

It is respectfully suggested that an order transferring the Defendant to the Bureau of Prisons for conveyance to a federal psychiatric facility where he may be examined and treated may be

appropriate.

Defendant understands and agrees that, pursuant to 18 U.S.C. §3161(h)(1)(A), such time as is taken by the requested examination and treatment may be deemed excludable under the Speedy Trial Act.

WHEREFORE, Defendant prays that the Court should grant this motion, or set it for a hearing at which additional information can be provided to the Court.

Respectfully submitted,

by \s\Mark C. Geudtner
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CERTIFICATION

I hereby certify that on February 19, 2010, a copy of the foregoing Motion for Examination and Treatment was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's ECF system.

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